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Attorneys for Defendant *Accellion, Inc.*

[Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MADALYN BROWN, COLE McDOWELL,
CHRISTY BROCKINGTON and DEREK
DAWES, individually and on behalf of all
others similarly situated.

Plaintiff,

V.

ACCELLION, INC., a Delaware Corporation,

Defendant.

Case No. 5:21-cv-01155-EJD

**JOINT STIPULATION AND
[PROPOSED] ORDER TO TOLL
DEADLINES TO RESPOND TO
CLASS PLAINTIFFS' COMPLAINTS
AND TO EXTEND THE TIME TO
ANSWER OR RESPOND TO CLASS
PLAINTIFFS' COMPLAINTS OR A
CONSOLIDATED AMENDED
COMPLAINT**

Filed February 17, 2021

SUSAN ZEBELMAN, on behalf of herself and
all others similarly situated.

Plaintiff,

V.

ACCELLION, INC., a Delaware limited

Case No. 5:21-cv-01203-EJD

Filed February 18, 2021

1 liability company,

2 Defendant.

3 HEATHER RODRIGUEZ, on behalf of herself
4 and all others similarly situated,

5 Plaintiff,

6 v.

7 ACCELLION, INC.,

8 Defendant.

9
10 JARAMEY STOBBE, individually and on
behalf of all others similarly situated,

11 Plaintiff,

12 v.

13 ACCELLION, INC.,

14 Defendant.

16
17 CHRISTINA PRICE, individually and on
behalf of herself and all other persons similarly
situated,

18 Plaintiff,

19 v.

20 ACCELLION, INC.,

21 Defendant.

Case No. 5:21-cv-01272-EJD

Filed February 22, 2021

Case No. 5:21-cv-01353-EJD

Filed February 24, 2021

Case No. 3:21-cv-01430-EJD

Filed February 26, 2021

EUGENE BOLTON, on behalf of himself and
all others similarly situated,

Plaintiff.

V.

ACCELLION, INC.,

Defendant.

Case No. 5:21-cv-01645-EJD

Filed March 8, 2021

VALERIE WHITTAKER, on behalf of herself
and all others similarly situated.

Plaintiff.

v.

ACCELLION, INC.,

Defendant.

Case No. 5:21-cv-01708-EJD

Filed March 11, 2021

RICKY COCHRAN and ALAIN BERREBI,
individually and on behalf of all others
similarly situated,

Plaintiffs,

V.

THE KROGER CO. and ACCELLION, INC.,

Defendants.

Case No. 5:21-cv-01887-EJD

Filed March 17, 2021

1 GRACE BEYER, individually and on behalf
2 of all others similarly situated,

3 Plaintiff,

4 v.

5 FLAGSTAR BANCORP, INC. d/b/a
6 FLAGSTAR BANK and ACCELLION, INC.,

7 Defendants.

9 AARON SHARP, on behalf of himself and all
10 others similarly situated,

11 Plaintiff,

12 v.

14 ACCELLION, INC.,

15 Defendant.

17 JANET POLLARD, individually and on behalf
18 of all others similarly situated,

19 Plaintiff,

20 v.

21 ACCELLION, INC., and FLAGSTAR
22 BANCORP, INC. /d/b/a FLAGSTAR BANK,

23 Defendants.

Case No. 5:21-cv-02239-EJD

Filed March 30, 2021

Case No. 5:21-cv-02525-EJD

Filed April 7, 2021

Case No. 5:21-cv-02572-EJD

Filed April 8, 2021

1
2 J. Doe, individually and on behalf of all others
3 similarly situated,
4

Plaintiff,

5 v.
6

7 HEALTH NET OF CALIFORNIA, INC.,
8 HEALTH NET LLC, AND ACCELLION,
9 INC.,

Defendants.

Case No. 5:21-cv-02975-EJD

Filed April 23, 2021

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1 WHEREAS, there are currently 12 related proposed consumer class actions pending
 2 before the U.S. District Court for the Northern District of California against Defendant
 3 Accellion, Inc. (“Accellion”):

- 4 • *Brown v. Accellion, Inc.*, No. 5:21-cv-01155-EJD, filed February 17, 2021;
- 5 • *Zebelman v. Accellion, Inc.*, No. 5:21-cv-01203-EJD, filed February 18, 2021;
- 6 • *Rodriguez v. Accellion, Inc.*, No. 5:21-cv-01272-EJD, filed February 22, 2021;
- 7 • *Stobbe v. Accellion, Inc.*, No. 5:21-cv-01353-EJD, filed February 24, 2021;
- 8 • *Price v. Accellion, Inc.*, No. 3:21-01430-EJD, filed February 26, 2021;
- 9 • *Bolton v. Accellion, Inc.*, No. 5:21-cv-01645-EJD, filed March 8, 2021;
- 10 • *Whittaker v. Accellion, Inc.*, No. 5:21-cv-01708-EJD, filed March 11, 2021,
- 11 • *Cochran v. Kroger and Accellion, Inc.*, No. 5:21-cv-01887-EJD, filed March 17,
 2021,
- 12 • *Beyer v. Flagstar Bank and Accellion, Inc.*, No. 5:21-cv-02239-EJD (“Beyer”), filed
 March 30, 2021,
- 13 • *Sharp v. Accellion, Inc.*, No. 5:21-cv-02525-EJD, filed April 7, 2021,
- 14 • *Pollard v. Accellion, Inc. and Flagstar Bank*, No. 5:21-cv-02572-EJD, filed April 8,
 2021, and
- 15 • *Doe v. Health Net of California, Inc., Health Net LLC and Accellion, Inc.*, No. 5:21-
 cv-02975-EJD, filed April 23, 2021, (together, the “Related Actions”).

20 WHEREAS, on March 31, 2021, Plaintiff’s counsel in *Beyer* filed a Motion for Transfer
 21 and Centralization with the Judicial Panel on Multidistrict Litigation (“JPML”) to consolidate
 22 and transfer to the Northern District of California (the “JPML Motion”), the Related Actions and
 23 certain additional actions listed herein: *Jones v. The Kroger Company*, No. 1:21-cv-00146-TSB
 24 (S.D. Oh.), *Govaert and Moore v. The Kroger Company*, No. 1:21-cv-00174-TSB (S.D. Oh.),
 25 *Doty, Shaw, and Simpson v. The Kroger Company*, No. 1:21-cv-00198-DRC (S.D. Oh.), *Angus*
 26 *and Wiedder v. Flagstar Bank, FSB*, No. 2:21-cv-10657-AJT-DRG (E.D. Mich.), *Garcia v.*
 27 *Flagstar Bank, FSB*, No. 2:21-cv-10671-DPH-APP (E.D. Mich.).

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WHEREAS, on April 7, 2021, Plaintiffs' counsel in *Beyer* filed a motion to consolidate the Related Actions, and any other related actions filed in, removed to, or transferred to the Northern District of California ("Motion to Consolidate") under Fed. R. Civ. P. 42(a) and to set a briefing schedule for the appointment of interim co-lead class counsel.

5 WHEREAS, due to the separate filing and service dates of each of the Plaintiffs'
6 complaints, Defendant's deadlines to respond to each of the Related Actions' complaints vary
7 with great degree.

8 WHEREAS, Plaintiffs' counsel for the Related Actions recognize that it would be
9 inefficient for Defendant to respond to each complaint, particularly in light of the recently-filed
10 JPML Motion and the Motion to Consolidate.

WHEREAS to conserve party resources and for efficiency, Accellion asked Plaintiffs to extend its time to respond to each of the Related Actions' Complaints and Plaintiffs agreed.

13 NOW THEREFORE, the Parties through their respective counsel hereby STIPULATE
14 AND AGREE that:

15 1. The deadlines for Accellion to answer, move, or otherwise respond to the
16 Complaints in each of the Related Actions shall be tolled.

17 2. The Parties agree to promptly meet and confer and, within ten (10) days of this
18 Court's ruling on the Motion to Consolidate, submit a proposed schedule for the filing of any
19 further complaint(s), Accellion's response to the Complaints, and any other applicable
20 procedural deadlines based on the Court's ruling.

Dated: May 12, 2021

Respectfully submitted,

/s/*Melanie M. Blunschi*

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PURSUANT TO THE FOREGOING STIPULATION, IT IS SO ORDERED.

DATED: May 13, 2021



Hon. Edward J. Davila
United States District Judge